

EX PARTE OR LATE FILED
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

18 FEB 1993

*Policy Planning
Docket-Rm: 222*

IN REPLY REFER TO:

7320-7-170000
DOCKET FILE COPY ORIGINAL

Honorable J. James Exon
United States Senator
287 Federal Building
100 Centennial Mall North
Lincoln, Nebraska 68508

RECEIVED

APR 12 1993

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Dear Senator Exon:

This is in reply to your letter of February 3, 1993, in which you inquired on behalf of several of your constituents regarding the Notice of Proposed Rule Making (Notice) in PR Docket No. 92-235, 57 FR 54034 (1992). This Notice proposes comprehensive changes to the Commission's Rules governing the private land mobile radio services operating in the frequency bands below 512 MHz.

Those rules have been in place for over 20 years. While they have been amended on numerous occasions since that time, they nonetheless embody regulatory concepts based on yesteryear's technology and, unless changed, will stifle the growth and development of private land mobile radio technology and services, which are used primarily by local governments, public safety entities, and businesses to enhance their productivity. The Commission issued the Notice, therefore, to solicit comment from all interested persons on a wide variety of proposals designed to increase channel capacity, to promote more efficient use of these channels, and to simplify the rules governing use of these channels.

The proposals in the Notice reflect to a large extent concepts and proposals submitted in the initial inquiry stages of this proceeding. None of the proposals set forth in the Notice, however, are engraved in stone. Indeed,

2.

We want to thank you for your interest in this proceeding. Comments on the proposals set forth in the Notice are due May 28, 1993, and Reply Comments are due July 14, 1993. We expect final rules to be issued in 1994. We urge your constituents to file formal comments on all aspects of the proposals.

Ralph A. Haller
Ralph A. Haller

Enclosures:
Notice
Order
Discussion paper

CNTL NO - 9300471

Report in INSURE - J-111-100.

Congressional

DUE 02/17/93

PLEASE MAKE 2 EXTRA COPIES OF INCOMING, ATTACHMENTS,
AND REPLY FOR DOCKET FILE, ROOM 222.

CONGRESSIONAL CORRESPONDENCE TRACKING SYSTEM 02/09/93

LETTER REPORT

CONTROL NO.	DATE RECEIVED	DATE OF CORRESP	DATE DUE	DATE DUE OLA(857)
9300471	02/09/93	02/03/93	02/22/93	

TITLE	MEMBERS NAME	REPLY FOR SIG OF
Senator	J James Exon	BC

CONSTITUENT'S NAME	SUBJECT
several	inq. comments on PR Docket 92-235

REF TO	REF TO	REF TO	REF TO
PRB /mond			

2-10-93

DATE	DATE	DATE	DATE
02/09/93			

REMARKS: Respond to the Lincoln, NE office.

RECEIVED
FEB 13 2 11 PM '93
U.S. HOUSE OF REPRESENTATIVES
OFFICE OF THE CLERK

J. JAMES EXON
NEBRASKA

528 SENATE HART BUILDING
WASHINGTON, DC 20510

287 FEDERAL BUILDING
LINCOLN, NE 68508

1823 FARNAM STREET
OMAHA, NE 68102

275 FEDERAL BUILDING
NORTH PLATTE, NE 69101

2106 FIRST AVENUE
SCOTTSBLUFF, NE 69361

United States Senate
WASHINGTON, DC 20510-2702

COMMITTEES:
ARMED SERVICES
COMMERCE, SCIENCE, AND
TRANSPORTATION
BUDGET

February 3, 1993

PRB
92-235
471

Federal Communications Commission
Congressional Liaison
1919 M Street, N.W.
Washington, D.C. 20554

Dear Sir:

Enclosed are letters from some of my constituents whose problems appear to fall within your jurisdiction.

I would appreciate any information which will enable me to respond to my constituents' inquiries. Please do not refer to any

1-15-03

doesn't take my and many others
hobby away from us with their
proposal for the 72-76 MHz band
changes.

Sincerely,

Don E. Seifert

January 14, 1993

The Honorable James Exon
United States Senate
Washington, D.C. 20510

93 JAN 19 PM 12:11

Dear Senator Exon,

I have just learned about the new proposed rules under consideration by the Federal Communications Commission (FCC). This proposed rule change is designated PR Docket 92-235. Hidden in this document is a section that will very adversely impact not only myself but many of my fellow hobbyists.

I build and fly radio controlled model airplanes. We currently have assigned frequencies in the 72 and 76 MHz range of the radio spectrum. The proposed new rules will intersperse four new frequencies between each of our present channels. There is already one commercial channel between each of our hobby frequencies. The addition of the new frequencies will make all of our present equipment obsolete. One of the equipment manufacturers has estimated that to meet the new requirements will result in at least a three-fold increase in the cost of our equipment. The equipment is already expensive and tripling the price of it would put our hobby out of the reach of many of the current hobbyists.

Please understand that our planes may weigh as much as 40-50 lbs., and may reach speeds of over 100 mph. These are not toys, but real planes that are simply smaller than any of us could ride in. The proposed rule changes would allow such loose frequency tolerances that someone on the new channels could slop over into one of our frequencies. This could cause loss of control of our aircraft; even a slow, light plane could inflict much damage to a person or to someone's property.

One of our primary concerns as a hobby has been the safety of our members and of the general public. I am truly concerned that not only will these proposed new rules lead to the loss of aircraft but will result in the injury of someone.

We do have a number of young members in our club at the present time and the cost of the equipment needed to function under these rules, if even available, would be prohibitive for them. Our hobby teaches these young people the basics of aerodynamics. In addition it teaches them discipline and patience. It would be a tragedy for these young people to loose such an educational experience.

I hope that you are able to assist in stopping this destruction of our hobby.

Sincerely

RW Buckland

D. R. LAD

93 JUL 12 1997

Mr James Exon

My name is Tracy Hawk, and I am writing to you in regard to the proposed PR Docket 92-235 concerning the FCC radio frequencies. I belong to the Thunderbird RC club for radio controlled model air planes, and if this rule goes into effect every piece of radio equipment I own will be useless because if there is any bleed over in frequencies the airplane will crash. I presently own 2 airplanes at an estimated value of \$350.00 each and one radio glitch will cause a crash and a loss of a plane, and worse yet the possibility of serious personal or property damage to other pilots or even spectators. The persons in our club spend many hours, and dollars making our sport as safe as possible, and this proposed rule would make it virtually impossible to make the

The Honorable J. James Exon
United States Senate
Washington, D.C. 20510

Jan. 18, 1993

Arlin Rowse
Box 116
CHAMBERS, NE 68725-1

Dear Senator J. James Exon

I'll begin by telling you that I've been into radio controlled model airplanes for almost 20 years. I enjoy this Pastime very much & hope to be able to continue.

I'm very concerned about proposed rules that are currently under consideration by the F.C.C. The proceeding is PR Docket 92-235. If this goes through the new rules will greatly reduce the usability of the frequencies currently assigned for model use & increase the risk of accidents and attendant liability for controlling model airplanes.

Our frequencies are in the 72-76 MHz. band. This band is primarily used for private land mobile dispatch operations. However, our radio control frequencies in the band are far enough apart from the land mobile frequencies that we have been able to share the band without either use interfering with the other.

Now the F.C.C. wants to create more land mobile frequencies by splitting them into narrower bandwidths & rearranging the band plan. As a result, many land mobile frequencies will move closer to the 50 frequencies that are presently available for radio control of models, only 19 frequencies will be left if

As modelers we go to great lengths to assure the safety of the operators & spectators and the protection of property. A big portion of this safety lies in frequency coordination and the use of the radio control frequencies. If the number of usable frequencies is diminished

1513 No. Sherman
North Platte, ne
Jan. 15, 1993

Dear sir:

I was involved in an accident 11 years ago and had to take a less strenuous job at work and be less actively involved in the Boy Scouts of America program of which I was involved for about 30 years. I now enjoy the hobby of flying Model Airplanes for about 2 years. Our club has about 45 members.

I ask you Attention and Help in resolving a problem that could adversely effect thousands, if not many thousands, if it is not resolved in a responsible manner.

The item is PR-Docket 92-235. If this is put into place it could cost me about 3 times as much to fly airplanes. I hope to continue in this hobby and would be forced to give it up. I will be awaiting your reply and hope you will consider this something you will look into.

January 22, 1993

The Honorable James Exon
United States Senate
Washington, D.C. 20510

93 JAN 26 PM 5:32

Dear Senator Exon:

I have dreamed of flying ever since my earliest memories. Recently, I was able to fulfill my dream in the area of radio control flying. My dream could be jeopardized due to a recent rules proposal by the Federal Communications Commission (FCC). I am employed as a police officer and contrary to popular belief, I am not rich. If the proposed rules pass, the expense involved in my dream could increase sharply. This increase in expense could rip my dream from my very grasp.

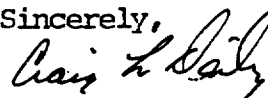
The rules proposal is PR Docket 92-235. If adopted, the new rules would greatly reduce the usable frequencies currently assigned for model use and dramatically increase the risk of accidents and attendant liability for controlling model aircraft.

We as builders go to great extents during building and flying these machines to ensure the maximum of safety for spectators and pilots as well. The new frequency allocations, as I understand, are for mobile customer usage that could be capable of overriding our transmitters and could have disastrous results. I am told that of the 50 frequencies currently available for model aircraft, only 19 frequencies would remain available if these new rules are adopted. Both of my radios, valued at about \$200 each, fall within the affected 31 frequencies. This dollar amount neither includes the cost of my planes nor the amount of time spent building them.

I am a member of a local R/C flying club that has nearly 40 members, each of who owns at least two aircraft. Our organization, as well as others, go to great lengths to prevent the possibility of property damage or personal injuries from these aircraft. Please consider that these aircraft can have wingspans of over 10 feet with weights of around 30 to 40 pounds. Simple laws of momentum relate the damage possible with these aircraft flying in excess of 100 miles per hour should radio interference be introduced.

I don't believe that it is wise of the FCC to seek improvements of the operating conditions of land mobile radio users at the expense of the radio control enthusiast. This hobby provides many hours of enjoyment for the builders, fliers, and spectators alike. As a police officer, I can assure you that I have seen many more serious "hobbies" undertaken by the youth of the community. R/C flying promotes discipline and respect for others property. Please help me to continue the safe enjoyment of my pastime by not allowing the FCC to carry out its proposals for the 72-76 Mhz band.

Sincerely,



Craig L. Dailey
1904 West 5th
North Platte, NE 69101
(308)-532-8268

FEB 1 - 1993

Senator J. James Exon
1623 Farnam #700
Omaha, Nebraska 68102

Jan. 30, 1993

Re: FCC Proposed Rule Change

Dear Senator Exon:

I am writing to ask you to look into a matter which threatens the safety and existence of the flying of radio controlled model aircraft, a recreation enjoyed by thousands of enthusiasts. Currently, the Federal Communications Commission, through a NOTICE OF PROPOSED RULE MAKING-NPRM - PR DOCKET 92-235 proposes to invade the 72 and 75 megahertz frequencies which are currently allotted to radio control use, and permit Land Mobile Service (cellular phones) to operate in between our current channel frequencies (and using much more powerful signals). This will result in radio wave interference from the radio bands being too close together, as well as being obliterated by the more powerful signals. Our airplanes will be out of control due to the interference.

The radio control hobby has operated for many years on these frequencies assigned by the FCC, and we have spaced our channels as close together in frequency as the radio industry considers safe. If new radio frequency use is permitted between our channels, we will lose control over our aircraft, and would pose a very significant danger to the public, from an airplane crashing out of control. Our particular flying facility is located in the City Park at Standing Bear Lake in Omaha, Nebraska. This park has many other members of the public also using recreational facilities, who would then be in danger.

I have over a \$1,000 invested in radio equipment that would be rendered not only useless, but dangerous, if this FCC proposed rule change is adopted. I would respectfully ask you to look into this and oppose this change for reasons of safety and preventing financial waste by rendering my equipment dangerous and useless. Cellular phone signals

Russell Wilt
8102 Hascall St.
Omaha, NE 68124

Jan. 30, 1993

FEB 1 - 1993

Senator J. James Exon
1623 Farnam #700
Omaha, Nebraska 68102

Re: FCC Proposed Rule Change

Dear Senator Exon:

I am writing to ask you to look into a matter which threatens the safety and existence of the flying of radio controlled model aircraft, a recreation enjoyed by thousands of enthusiasts. Currently, the Federal Communications Commission, through a NOTICE OF PROPOSED RULE MAKING-NPRM - PR DOCKET 92-235 proposes to invade the 72 and 75 megahertz frequencies which are currently allotted to radio control use, and permit Land Mobile Service (cellular phones) to operate in between our current channel frequencies (and using much more powerful signals). This will result in radio wave interference from the radio bands being too close together, as well as being obliterated by the more powerful signals. Our airplanes will be out of control due to the interference.

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I have over a \$1,000 invested in radio equipment that would be rendered not only useless, but dangerous, if this FCC proposed rule change is adopted. I would respectfully ask you to look into this and

PATTERSON'S HOBBIES
121 WEST 3th
NORTH PLATTE, NE 69101

JANUARY 17, 1993

THE HONORABLE JAMES EXON
UNITED STATES SENATE
WASHINGTON, D.C. 20510

DEAR SENATOR EXON,

I OWN A HOBBY SHOP THAT SPECIALIZES IN REMOTE CONTROL
AIRCRAFT. EMPLOYING MYSELF 2 FULL TIME EMPLOYEES AND 2 PART
TIME EMPLOYEES. I SUPPLY MODELERS NOT ONLY IN NORTH PLATTE
BUT AS FAR AWAY AS AUSTRALIA.

I ALSO BELONG TO THE LOCAL MODEL AIRPLANE CLUB HERE THAT HAS
ABOUT 50 MEMBERS-THIS IS ALSO MY PERSONNEL HOBBY/SPORT.

I'M VERY CONCERNED ABOUT A PROPOSAL BY THE FCC (NPRM PR
DOCKET 92-235) TO INSERT NEW OPERATING FREQUENCIES BETWEEN
FREQUENCIES WE CURRENTLY USE (72-75 MHz) TO CONTROL REMOTE

January 18, 1993 83 JAN 19 93 PM 6: 13

The Honorable James Exon
United States Senate
Washington, D.C.

Dear Senator Exon:

I am very concerned with the new FCC PR Docket 92-235 that is under consideration. I am very active in radio controlled model airplanes. I am secretary treasurer of our local chapter and an American Modeler Association member. I love to design, build and fly model airplanes. I have one plane which weighs up to 20 lbs. and flies at 150 mph.

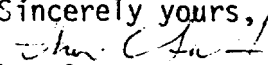
Because of this I sold my business and went to work as a manager of a hobby shop that specializes in R/C. If the new FCC rule PR Docket 92-235 is passed it will render \$800.00 of my radio equipment unusable. No one in our club will be able to fly safely. It will be hazardous to our spectators and to public property.

As of present we go to great lengths for safety. This includes other pilots, spectators and the property we lease. By splitting the frequencies into a narrower bandwidths this will make flying very hazardous. The new land mobile frequencies won't have the flight technical specifications that our radio manufactures have to abide by. They will have the power to override our signals.

The radio control hobby is a multi-million dollar industry that is growing daily. Our club membership has trippled in just two years. We have all ages and people from grade school to doctors and policemen. Many people that love to fly cannot afford to fly a real full size airplane. On the otherhand can you picture a model you have worked on for six months to a year to build and then see it crash due to radio interference. I personally have one plane I designed that took three years from the drawing board to building and flying it. Enclosed is a picture of one of the planes that could be ruined if the PR Docket 92-235 is passed.

We have senior citizens on a fixed income and also children that use their allowance for their hobby. This is not a cheap hobby to get into. It takes a lot of time and investment. If the FCC is allowed to carry out it proposals for the 72-76 MH₂ band, all this will be lost. Please help us continue the safety and enjoyment of our pastime.

Stan Smith
415 E 6th
North Platte Ne

Sincerely yours,

Stanley C Smith

February 1, 1993

Honorable J. James Exon
Room 287 Federal Bldg.
100 Centennial Mall North
Lincoln, NE 68508

Dear Senator Exon,

I am a modeler of radio controlled
airplanes who has enjoyed the hobby for
most of my life. I am very concerned about
the proposed new rules that are under
consideration by the Federal Communications

Dr. & Mrs. Patrick M. Malone
5006 S. 171st Circle
Omaha, Nebraska 68135-1407

FILED - - 1993

February 1, 1993

Senator J. James Exon
1623 Farnam #700
Omaha, Nebraska 68102

Re: FCC Proposed Rule Change

Dear Senator Exon,

I am writing concerning a matter which threatens the safety and existence of the flying of radio controlled model aircraft, a recreation enjoyed by thousands of enthusiasts. The Federal Communications Commission, through NOTICE OF PROPOSED RULE MAKING - NPRM -

Avoiding the rule change may cause some inconvenience and/or more work to improve the cellular phones, but isn't it worth the effort to avoid endangering people? I think so, and I believe most people will agree.

Sincerely,

A handwritten signature in cursive script, appearing to read "Patrick M. Malone".

Dr. Patrick M. Malone

C0000003.DOC

FEB 2 - 1993

Senator J. James Exon
1623 Farnam #700
Omaha, Nebraska 68102

Re: FCC Proposed Rule Change

Dear Senator Exon:

I am writing to ask you to look into a matter which threatens the safety and existence of the flying of radio controlled model aircraft, a recreation enjoyed by thousands of enthusiasts. Currently, the Federal Communications Commission, through a NOTICE OF PROPOSED RULE MAKING-NPRM - PR DOCKET 92-235 proposes to invade the 72 and 75 megahertz frequencies which are currently allotted to radio control use, and permit Land Mobile Service (cellular phones) to operate in between our current channel frequencies (and using much more powerful signals). This will result in radio wave interference from the radio bands being too close together, as well as being obliterated by the more powerful signals. Our airplanes will be out of control due to the interference.

The radio control hobby has operated for many years on these frequencies assigned by the FCC, and we have spaced our channels as close together in frequency as the radio industry considers safe. If new radio frequency use is permitted between our channels, we will lose control over our aircraft, and would pose a very significant danger to the public, from an airplane crashing out of control. Our particular flying facility is located in the City Park at Standing Bear Lake in Omaha, Nebraska. This park has many other members of the public also using recreational facilities, who would then be in danger.


I have over a \$1,000 invested in radio equipment that would be rendered not only useless, but dangerous, if this FCC proposed rule change is adopted. I would respectfully ask you to look into this and oppose this change for reasons of safety and preventing financial waste by rendering my equipment dangerous and useless. Cellular phone signals have poor frequency control, and spill over to adjacent frequencies.

Please help me save the investment I have already made in radio equipment and enjoyment of the hobby. We also wish to maintain safety as a benchmark of our hobby and not pose a danger to anyone. Please note that the comments on the proposed rule change must be filed by February 26, 1993, and we would ask you to make a formal filing of opposition to this frequency use change.

I want to thank you for your help on this matter.

Yours sincerely,

Jeffrey L. Jacobs
-10212 Krug Avenue
Omaha, NE 68124


Jeffrey L. Jacobs

DAVID E. PFISTER
11122 FRANKLIN PLZ. #1215
OMAHA, NE 68154

FEBRUARY 1, 1993

FEB 2 - 1993

Senator J. James Exon
1623 Farnam #700
Omaha, Nebraska 68102

Re: FCC Proposed Rule Change

Dear Senator Exon:

I am writing to ask you to look into a matter which threatens the safety and existence of the flying of radio controlled model aircraft, a recreation enjoyed by thousands of enthusiasts. Currently, the Federal Communications Commission, through a NOTICE OF PROPOSED RULE MAKING-NPRM - PR DOCKET 92-235 proposes to invade the 72 and 75 megahertz frequencies which are currently allotted to radio control use, and permit Land Mobile Service (cellular phones) to operate in between our current channel frequencies (and using much more powerful signals). This will result in radio wave interference from the radio bands being too close together, as well as being obliterated by the more powerful signals. Our airplanes will be out of control due to the interference.

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I have over a \$1,000 invested in radio equipment that would be rendered not only useless, but dangerous, if this FCC proposed rule change is adopted. I would respectfully ask you to look into this and

John R. Cernak
Parts Craft Division
District Sales Manager
2505 North 142nd St
Omaha, NE 68164

FEB 2 - 1997

Senator J. James Exon
1623 Farnam #700
Omaha, Nebraska 68102

Re: FCC Proposed Rule Change

Dear Senator Exon:

I am writing to ask you to look into a matter which threatens the safety and existence of the flying of radio controlled model aircraft, a recreation enjoyed by thousands of enthusiasts. Currently, the Federal Communications Commission, through a NOTICE OF PROPOSED RULE MAKING-NPRM - PR DOCKET 92-235 proposes to invade the 72 and 75 megahertz frequencies which are currently allotted to radio control use, and permit Land Mobile Service (cellular phones) to operate in between our current channel frequencies (and using much more powerful signals). This will result in radio wave interference from the radio bands being too close together, as well as being obliterated by the more powerful signals. Our airplanes will be out of control due to the interference.

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Please help me save the investment I have already made in radio equipment and the hobby. We also wish to maintain safety.

01/31/93

Senator J. James Exon
1623 Farnam #700
Omaha, Nebraska 68102

FEB 2 - 1993

Dear Senator Exon:

I am writing in regard to a matter which will have tremendous impact upon a hobby that I have been involved with for approximately 20 years now. The hobby I speak of is radio control model aviation and the matter is a proposed rule change by the FCC (PR DOCKET 92-235). This rule change would allow the insertion of frequencies to be used by cellular phones between the ones now designated for model aircraft use (the 72 and 75 megahertz bands). These cellular phone transmitters would be operating at approximately five times the output of the transmitters we use. Combine this with the close proximity of the frequencies and we have a situation where our radio control equipment would be rendered dangerous and therefore unusable.

The model aircraft radio environment has always been subject to rigid tolerances with regard to the radio equipment we use. This is critical in order to maintain the safety of this hobby. This is to say nothing of the often substantial amounts of time,

Senator J. James Exon
1623 Farnam #700
Omaha, Nebraska 68102

Re: FCC Proposed Rule Change

Dear Senator Exon:

I am writing to ask you to look into a matter which threatens the safety and existence of the flying of radio controlled model aircraft, a recreation enjoyed by thousands of enthusiasts. Currently, the Federal Communications Commission, through a NOTICE OF PROPOSED RULE MAKING-NPRM - PR DOCKET 92-235 proposes to invade the 72 and 75 megahertz frequencies which are currently allotted to radio control use, and permit Land Mobile Service (cellular phones) to operate in between our current channel frequencies (and using much more powerful signals). This will result in radio wave interference from the radio bands being too close together, as well as being obliterated by the more powerful signals. Our airplanes will be out of control due to the interference.

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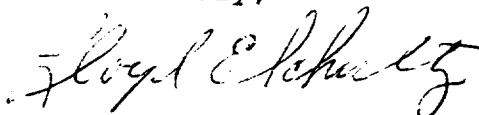
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Please help me save the investment I have already made in radio equipment and enjoyment of the hobby. We also wish to maintain safety as a benchmark of our hobby and not pose a danger to anyone. Please note that the comments on the proposed rule change must be filed by February 26, 1993, and we would ask you to make a formal filing of opposition to this frequency use change.

I want to thank you for your help on this matter.

Yours sincerely,

LLOYD & HENRIETTA SCHULTZ
6032 SPAULDING ST.
OMAHA, NE. 68104



FEB 2 - 1993

CORY AND NANCY BONSELL
2324 N. 143RD AVE.
OMAHA, NE 68164

1-30-1993

Senator J. James Exon
1623 Farnam #700
Omaha, Nebraska 68102

Re: FCC Proposed Rule Change

Dear Senator Exon:

I am writing to ask you to look into a matter which threatens the safety and existence of the flying of radio controlled model aircraft, a recreation enjoyed by thousands of enthusiasts. Currently, the Federal Communications Commission, through a NOTICE OF PROPOSED RULE MAKING-NPRM - PR DOCKET 92-235 proposes to invade the 72 and 75 megahertz frequencies which are currently allotted to radio control use, and permit Land Mobile Service (cellular phones) to operate in between our current channel frequencies (and using much more powerful signals). This will result in radio wave interference from the radio bands being too close together, as well as being obliterated by the more powerful signals. Our airplanes will be out of control due to the interference.

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